

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 21-00115-CR-W-HFS
	)	
WENDELL TIALLO CLEMONS	)	
	)	
Defendant.	)	

ORDER

Upon defendant's motion (Doc. 99), a psychological examination was conducted by Lacie L. Biber, Psy. D., who evaluated defendant and prepared a report concluding that he did not appear to meet the criteria for a mental health diagnosis at this time, and he does not appear to suffer from a mental illness that is likely to fluctuate without intervention. (Doc. 107, p. 9)

A competency hearing was held on April 11, 2023, before Magistrate Judge Lajuana M. Counts and after making an independent review of the record and applicable law, Judge Counts recommended an order finding that defendant is not currently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or assisting in his defense. (Doc. 111).

Having reviewed the record and noting counsels' waiver of the filing of any objections to the Report and Recommendation ("R&R"), the R&R (Doc. 111) is ADOPTED and defendant is determined to be competent.

SO ORDERED.

/s/ Howard F. Sachs

HOWARD F. SACHS

UNITED STATES DISTRICT JUDGE

Dated: April 17, 2023  
Kansas City, Missouri